

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Hon. Guy Reschenthaler, *et al.*,

Plaintiffs,

v.

Secretary Al Schmidt, *et al.*,

Defendants.

Civil Action No. 1:24-cv-1671-CCC
Hon. Christopher C. Conner

**MOTION FOR LEAVE TO FILE BRIEF OF *AMICI CURIAE*
NONPARTISAN ORGANIZATIONS AND IMPACTED OVERSEAS
VOTERS IN SUPPORT OF DEFENDANTS’ MOTION TO DISMISS AND
IN OPPOSITION TO PLAINTIFFS’ MOTION FOR TEMPORARY
RESTRAINING ORDER OR PRELIMINARY INJUNCTION**

U.S. Vote Foundation, American Citizens Abroad, Association of
Americans Resident Overseas, Blue Star Families, Federation of American
Women’s Clubs Overseas, Maria H. Craig, Thomas Lipton, Ellen Lebel, Ann
Madden, Kristi Carroll-Lorin, Reverend Daniel Morrow, and Teresa Morrow
(collectively, “*Amici*”) hereby move for leave to file a brief as *amici curiae* in
support of Defendants’ Motion to Dismiss the Amended Complaint and in
opposition to Plaintiffs’ Motion for a Temporary Restraining Order or Preliminary
Injunction.

Amici are nonprofit, nonpartisan organizations that represent the interests of
military and overseas voters, irrespective of their party affiliation, along with
individuals who live overseas and are registered to vote in Pennsylvania. *Amici*

have a strong interest in the outcome of this litigation, which jeopardizes the already-imperiled franchise of American citizens living abroad, including uniformed service members stationed away from their homes while serving our country and everyday citizens living, working, studying, and traveling abroad. *Amici*'s proposed brief is attached hereto as Exhibit A.

A district court has broad discretion to permit *amici curiae* to participate in a pending action. *Wayne Land & Mineral Grp. v. Del. River Basin Comm'n*, 2016 WL 7256945, at *1 (M.D. Pa. Dec. 15, 2016); *Waste Mgmt. of Pa., Inc. v. City of York*, 162 F.R.D. 34, 36 (M.D. Pa. 1995). Here, *Amici* seek to represent the interests of millions of military and overseas American citizens—including tens of thousands of Pennsylvania voters—who intend to or have already cast ballots subject to the protections of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), which Plaintiffs now challenge.

Amici are deeply concerned that a ruling in Plaintiffs' favor will impose unnecessary barriers to voting and disenfranchise military and other overseas voters, in direct contravention of longstanding federal public policy dating back to the 1940s. *Amici* further seek to highlight how Plaintiffs—under the pretense of enforcing a nonexistent verification requirement to combat an illusory problem of overseas-ballot fraud—seek to exploit military and overseas voters as pawns in a coordinated political effort to sow doubt, chaos, and confusion ahead of the 2024

General Election. *Amici* respectfully submit that military and overseas voters deserve a voice in a litigation that threatens their fundamental right to participate in the electoral process.

For these reasons, *Amici* request that this Court grant their Motion for Leave to File Brief of *Amici Curiae*.

October 18, 2024

Respectfully submitted,

By: /s/ Timothy E. Gates
Timothy E. Gates

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**Pro hac vice forthcoming*

CERTIFICATES

I, Timothy E. Gates, hereby certify that a copy of this motion has been served on all counsel of record using the Court's CM/ECF system.

Pursuant to Local Rule 7.1, I further certify that counsel for Defendants and Intervenor-Defendants consent to the foregoing Motion for Leave to File Brief of *Amici Curiae*. Counsel for Plaintiffs were also advised of the foregoing Motion but have not stated their position as of this filing.

October 18, 2024

By: /s/ Timothy E. Gates
Timothy E. Gates